

MINUTES

MONTANA SENATE 58th LEGISLATURE - REGULAR SESSION

COMMITTEE ON NATURAL RESOURCES

Call to Order: By **CHAIRMAN BILL TASH**, on April 23, 2003 at 4:07 P.M., in Room 405 Capitol.

ROLL CALL

Members Present:

Sen. Bill Tash, Chairman (R)
Sen. Aubyn Curtiss, Vice Chairman (R)
Sen. Sherm Anderson (R)
Sen. Gregory D. Barkus (R)
Sen. Rick Laible (R)
Sen. Bea McCarthy (D)
Sen. Dan McGee (R)
Sen. Gary L. Perry (R)
Sen. Glenn Roush (D)
Sen. Debbie Shea (D)

Members Excused: Sen. Jon Ellingson (D)
Sen. Ken Toole (D)

Members Absent: None.

Staff Present: Shirley Herrin, Committee Secretary
Krista Lee Evans, Legislative Branch

Video-taped Committee: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. A video-taped recording of the meeting is available from the Montana Historical Society.

Committee Business Summary:

Hearing & Date Posted: HJ 35, 4/23/2003; HJ 40, 4/23/2003;
HJ 42, 4/23/2003; HJ 43, 4/23/2003
Executive Action: HJ 35, HJ 40, HJ 43

HEARING ON HJ 35

Opening Statement by Sponsor:

4:07 **REP. NORMA BIXBY, HD 5, Lame Deer** "Study state share of water under Yellowstone River Compact".

Proponents' Testimony:

4:10 Richard Moy, Department of Natural Resources and Conservation **EXHIBIT (nas86a01)**

4:15 Brenda Lindleaf Hall, Attorney, Tongue River

4:17 Jack Stults, Water Resources Division Administrator, Dept of Natural Resources and Conservation

Opponents' Testimony: None

Questions from Committee Members and Responses:

4:18 Begin

4:27 Ended

9 min Time elapsed.

Closing by Sponsor:

4:27 **REP. BIXBY** closed on HJ 35.

HEARING ON HJ 43

Opening Statement by Sponsor:

4:29 **REP. JONATHAN WINDY BOY, HD 92, Rocky Boy** "Study reclamation of Zortman-Landusky mine".

Proponents' Testimony: None.

Opponents' Testimony: None.

Questions from Committee Members and Responses:

4:31 Begin

4:33 Ended

2 min Time elapsed

Closing by Sponsor:

4:33 **REP. WINDY BOY** closed on HJ 43.

HEARING ON HJ 40

Opening Statement by Sponsor:

4:34 **REP. CINDY YOUNKIN, HD 28, Bozeman** "Study effect of ponds on water use". **EXHIBIT (nas86a02)**

Proponents' Testimony:

4:36 Jack Stults, Water Resources Division Administrator,
Department of Natural Resources and Conservation
EXHIBIT (nas86a03)

Opponents' Testimony: None.

Questions from Committee Members and Responses:

4:42 Begin
4:49 Ended
7 min Time Elapsed.

Closing by Sponsor:

4:49 **REP. YOUNKIN'S** closing was incorporated in the
questions from **CHAIRMAN TASH**.

HEARING ON HJ 42

Opening Statement by Sponsor:

4:50 **REP. MONICA LINDEEN, HD 7, Huntley** "Study coal mine
reclamation laws".

Proponents' Testimony: None.

Opponents' Testimony: None.

Questions from Committee Members and Responses:

4:53 Begin
4:55 Ended
2 min Time elapsed.

Closing by Sponsor:

4:55 **REP. LINDEEN** closed on HJ 42.

EXECUTIVE ACTION ON HJ 42

4:56 **Motion:** **SEN. MCCARTHY** moved that HJ 42 BE CONCURRED
IN.

Discussion:

4:57 **SEN. GLENN ROUSH** inquired if the EQC would be able to
do the studies. **CHAIRMAN TASH** replied it would depend
on the ranking whether the studies are done. **SEN.**
MCCARTHY, informed the committee the study resolutions

are ranked first by the Legislature and sent to EQC and then ranked again. The question was posed whether this resolution would do exactly what HB 373 did and perhaps we should check the status of that bill. Krista Lee Evans checked on HB 373 and found that it had been signed by the Governor. **SEN. MCCARTHY** withdrew her motion that HJ 42 BE CONCURRED IN. **CHAIRMAN TASH** said they would take no further action on HJ 42.

EXECUTIVE ACTION ON HJ 40

5:02 **Motion:** **SEN. BARKUS** moved that HJ 40 BE CONCURRED IN.

Discussion:

5:02 Begin
5:07 Ended
5 min Time elapsed.

5:07 **Vote:** Motion carried unanimously 10-0.

EXECUTIVE ACTION ON HJ 43

5:08 **Motion:** **SEN. ROUSH** moved that HJ 43 BE CONCURRED IN.

Discussion:

5:09 Begin
5:12 Ended
3 min Time elapsed.

5:12 **Vote:** The motion failed on a 5-5 vote. **SEN. DEBBIE SHEA** said the Zortman-Landusky conflict seems to be holding the mining industry back and would like to see some of the questions resolved. **SEN. DAN MCGEE** motion to reconsider action on HJ 43 carried. **Vote:** Motion DO CONCUR in HJ 43 carried unanimously 10-0 on Roll Call Vote No. 1.

EXECUTIVE ACTION ON HJ 35

5:16 **Motion/Vote:** **SEN. PERRY** moved that HJ 35 BE CONCURRED IN. Motion carried unanimously 10-0.

ADJOURNMENT

Adjournment: 5:17 P.M.

SEN. BILL TASH, Chairman

SHIRLELY HERRIN, Secretary

BT/SH

EXHIBIT (nas86aad)